



HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: Cheryl Fisher Date: May 14, 2003
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In Re Patent Application of:
HARUO KODAMA, ET AL. :
Conf. No.: 2837 : Group Art Unit: 3745
Appln. No.: 09/652,090 : Examiner: F. D. Lopez
Filing Date: August 31, 2000 : Attorney Docket No.: 9369-51US
Title: HYDRAULIC DRIVE APPARATUS

MAY 22 2003

TECHNOLOGY CENTER R3700

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeals to the Board of Patent Appeals and Interferences from the Decision dated November 15, 2002, of the Primary Examiner finally rejecting claims 1-5.

The item(s) checked below are appropriate:

- [] A Petition for Extension of Time with extension fee for @ month(s) to @ to respond to the final rejection was filed on @.
- [X] A Petition for Extension of Time for 3 month(s) to file the Notice of Appeal and the requisite extension fee in the amount of \$820.00 are enclosed, the three-month extension of time fee of \$930.00 being reduced by \$110.00 previously paid with a Petition filed on March 14, 2003 for a one-month extension of time.
- [X] Notice of Appeal fee is enclosed (if applicable)
- [] \$160.00 - Small Entity has been previously established in this case.
[X] \$320.00.
- [] Not required (fee paid in prior appeal).
- [] An oral hearing before the Board of Appeals is respectfully requested. Requisite fee is enclosed.
- [] \$140.00 - Small Entity has been previously established in this case.

[] \$280.00.

- [X] Our firm's check in the amount of **\$1,140.00** is enclosed.
- [X] The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 209369.0051) for any overpayments or deficiencies in the above-calculated fee. A duplicate copy of this notice is enclosed.

Respectfully submitted,

Haruo KODAMA, *et al.*

May 14, 2003
(Date)

By: 
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